United Nations S/2010/124

Security Council

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9 March 2010

Original: English

**Identical letters dated 5 March 2010 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council**

Upon instruction from my Government, I have the honour to transmit herewith a letter which represents the position of the Syrian Arab Republic on the twelfth report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) (see annex).

I would highly appreciate it if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

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## Annex to the identical letters dated 5 March 2010 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

1. Syria has consistently provided all kinds of support and assistance to the Lebanese Government in securing its authority and sovereignty over all parts of its territory. Syria has also provided substantial support in building the capacities of the Lebanese Army to carry out its national role of defending its territory against Israeli acts of aggression, because Syria believes that the security and stability of Lebanon have significant positive implications for Syria and the entire region. The December 2009 visit to Syria by Mr. Saad Hariri, the Prime Minister of Lebanon, during which he was received by Mr. Bashar Al-Assad, the President of the Syrian Arab Republic, marked a historic shift in Syrian-Lebanese relations. Discussions were held on all aspects of relations between the fraternal countries and means of enhancing those relations in all fields. We are certain to see sustained efforts in that regard in the coming weeks and months, particularly by the countries' Governments.

2. The Syrian Arab Republic takes exception to the repeated references to the Syrian Arab Republic by the Secretary-General and his Special Representative in the report on the implementation of Security Council resolution 1701 (2006). That resolution was adopted with a view to halting the mass killing of civilians and the barbaric Israeli attacks on Lebanon during the July war of that year, which were aimed at undermining the stability and security of Lebanon and destroying its infrastructure.

3. The Syrian Arab Republic reiterates its position that the issue of the delineation of the Syrian-Lebanese border referred to in the report is a bilateral matter in which no party has the right to interfere. In that connection, the Syrian Arab Republic would like to reiterate that the real obstacle to border delineation is continued Israeli occupation of the occupied Syrian Golan and the Shab'a Farms, in blatant disregard and violation of not only resolution 1701 (2006), but all other relevant internationally recognized resolutions, and in flagrant defiance of the international community. If the United Nations is committed to the implementation of its resolutions, it should bring pressure to bear on Israel to end its occupation and take the necessary measures in that regard. This issue is one of a number that the Governments of the two countries intend to address in the near future.

4. To make reference to continued Israeli violations of Lebanese sovereignty and call for their cessation without taking effective measures on the ground is an ineffective and hollow gesture. The Security Council must take practical steps to prohibit and put a stop to those violations in accordance with and in implementation of resolution 1701 (2006).

5. The Syrian Arab Republic finds it odd that the report insists on including Israeli claims about arms smuggling across the Syrian-Lebanese border. Those claims are fabrications that have been disproved by statements from senior Lebanese officials and reports of the Lebanon Independent Border Assessment Team. Those false claims are designed to provide cover for Israel's daily violations of Lebanese sovereignty, and the continued inclusion of those claims in the report helps Israel to

achieve that aim. It would have been more appropriate for the report to unequivocally condemn Israel for its violations of Lebanese sovereignty, including the employment of large numbers of spies whose aim is to undermine the security of Lebanon. Although the Secretary-General's reports on the implementation of resolution 1701 (2006) have invariably included the Israeli allegations, they have never given the same consideration to the denials of the Syrian officials with whom the Secretary-General's Special Representative has met.

6. The Palestinian presence in Lebanon is a matter that is governed by the Cairo Agreement signed in 1969 by the Lebanese Republic and the Palestine Liberation Organization. We reiterate that the Palestinian bases on the Syrian-Lebanese border referred to in the report are fully within Lebanese territory. We also reiterate that the primary reason for the Palestinian presence in Lebanon and neighbouring States, including Syria, is Israel's arrogance and continued occupation of Palestinian territory and its refusal to implement internationally recognized resolutions, including General Assembly resolution 194 (III), which guarantees the right of the refugees to return to the lands from which they were expelled.

7. The Syrian Arab Republic affirms it solidarity with the Government and people of Lebanon as they confront Israel's continuing aggression, which constitutes a grave threat to the security and stability of Lebanon and the region. The Secretariat is requested to take a clear position in support of Lebanon. It should not be satisfied with making diffident comments on the Israeli threats against and violations of Lebanon's independence and sovereignty that have not ceased since the adoption of resolution 1701 (2006).

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2010/125

Security Council

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9 March 2010
English
Original: French

# Letter dated 5 March 2010 from the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities reflecting its position on the recommendations contained in the tenth report of the Analytical Support and Sanctions Monitoring Team (S/2009/502).

I should be grateful if the attached report could be brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Thomas **Mayr-Harting**
Chairman
Security Council Committee
established pursuant to resolution 1267 (1999)
concerning Al-Qaida and the Taliban
and associated individuals and entities

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# Recommendations contained in the tenth report of the Analytical Support and Sanctions Monitoring Team: position of the Committee

[Original: English]

## I. Introduction

1. After a thorough examination of the tenth report of the Analytical Support and Sanctions Monitoring Team (S/2009/502),[1] the Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities would like to bring to the attention of the Security Council its position on a number of the recommendations contained therein.[2] In this connection it should be recalled that the Chairman of the Committee conveyed the report to the President of the Security Council on 28 September 2009.

2. The present report aims to draw attention to those recommendations made by the Monitoring Team that the Committee found to be of particular importance and relevance to its current and future work. The Committee welcomes the Monitoring Team's continued efforts to identify ways to improve the implementation and effectiveness of the sanctions measures, and it is of the opinion that all Member States should be made aware of, and take into account, the Monitoring Team's recommendations. The Committee also wishes to note that a number of the Monitoring Team's recommendations were of relevance to the Security Council itself, particularly during the period prior to the adoption of resolution 1904 (2009) on 17 December 2009.

## II. The Consolidated List

3. **Entries with insufficient identifying information (para. 14)**. The Committee wishes to underscore the importance of having sufficient identifiers in entries on the Consolidated List to enable the effective implementation of sanctions measures. The Monitoring Team's recommendation that the Committee, upon completion of the review pursuant to paragraph 25 of resolution 1822 (2008) and with the help of the Team, compile an inventory of any inadequate entries on the List that remain and take further action with regard to those names, has been reflected in paragraph 31 of Security Council resolution 1904 (2009). In that paragraph, the Council requests the Monitoring Team to "circulate ... annually a list of individuals and entities ... whose entries lack identifiers necessary to ensure effective implementation of the measures imposed upon them, and directs the Committee to review these listings to decide whether they remain appropriate".

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[1] The report submitted to the Committee on 31 July 2009 in accordance with resolution 1822 (2008) was transmitted to the Security Council on 28 September 2009 and subsequently issued as a document of the Council.

[2] This is the eighth written report of the Committee to the Security Council on the reports of the Monitoring Team. Earlier reports of the Monitoring Team and reports on the Committee's position on the recommendations can be found on the Committee's website (www.un.org/sc/committees/1267/index.shtml).

4. **De-listing procedures (para. 17)**. The Committee agreed that in cases where a Committee member opposes a request for de-listing that has been supported by a designating State, the Committee member or members opposing the de-listing should make every effort to explain in the most detailed fashion the reasons for opposing the de-listing. This recommendation has been reflected in paragraph 25 of resolution 1904 (2009). In that paragraph the Committee is encouraged "to give due consideration to the opinions of designating State(s), and State(s) of residence, nationality or incorporation when considering de-listing requests", and Committee Members are called upon to "make every effort to provide their reasons for objecting to such de-listing requests".

5. **Deceased individuals (para. 19)**. In an effort to address the issue of individuals on the list who are known or believed to be dead, the Committee agreed to request the Monitoring Team, in cases where the Committee or the Team receives a report about the death of a listed individual, to collect all available information and establish the facts, in conjunction with the relevant States, and to relay its findings to the Committee. This recommendation has been reflected in paragraph 26 of resolution 1904 (2009). In that paragraph the Council "requests the Monitoring Team to circulate to the Committee every six months a list of individuals on the Consolidated List who are reportedly deceased, ... directs the Committee to review these listings to decide whether they remain appropriate, and encourages the Committee to remove listings of deceased individuals where credible information regarding death is available".

6. The Committee was also of the view that in cases where an individual is confirmed to be dead, and where it is established that the individual did not possess any assets or that no beneficiary of assets appears on the List, the Committee should proceed to de-list that individual (para. 19). This recommendation has been reflected in paragraph 23 of resolution 1904 (2009), in which States are encouraged "to submit de-listing requests for individuals that are officially confirmed to be dead, particularly where no assets are identified".

7. **Defunct entities (para. 21)**. In cases where listed entities cease to exist, the Committee generally supported the recommendation that the Committee should consider seeking a de-listing request from the relevant State(s) in respect of such entities, while ensuring that the assets of those entities are not controlled by or transferred to other listed individuals or entities. This recommendation has been reflected in paragraph 23 of resolution 1904 (2009), in which States are encouraged "to submit de-listing requests ... for entities that have ceased to exist, while at the same time taking all reasonable measures to ensure that the assets that had belonged to these ... entities have not been or will not be transferred or distributed to other entities or individuals on the Consolidated List". In this context the Committee would also like to draw attention to paragraph 24 of resolution 1904 (2009), in which Member States are encouraged, "when unfreezing the assets of a deceased individual or a defunct entity as a result of a de-listing, to recall the obligations set forth in resolution 1373 (2001) and, particularly, to prevent unfrozen assets from being used for terrorist purposes".

8. **Record of de-listed entries (para. 23)**. The Committee supported the recommendation to remove the record of de-listed names from the Committee's website, but the members underscored that the Secretariat should retain all relevant information about de-listed individuals and entities in its archives.

9. **Review of all listings pursuant to paragraph 26 of resolution 1822 (2008) (para. 24)**. The Committee agrees that its review of all names inscribed on the Consolidated List before 30 June 2008 has generated new information regarding listed individuals and entities, thereby improving the quality of the List. In this connection the Committee wishes to recall that, as part of its review of the Consolidated List pursuant to paragraph 25 of resolution 1822 (2008), it seeks from the State(s) of citizenship or residence and designating State(s) information on the whereabouts of the party, its circumstances and activity. In order to promote further such improvements to the list, the Committee agreed that, when conducting the annual review pursuant to paragraph 26 of resolution 1822 (2008) and paragraph 32 of resolution 1904 (2009), it would also seek, where possible, information on any additional measures taken to prevent support for terrorism by listed individuals and entities.

10. **Entities with a listed address (para. 26)**. The Committee agreed that, when reviewing entities for which the entry on the Consolidated List contains an address, it would request the Monitoring Team to ascertain from the relevant State(s) whether the entity still functions, and if not whether it has any frozen assets. The Committee agreed to consider possible courses of action in response to such new information in the light of the future reviews of the Consolidated List.

11. **Narrative summaries of reasons for listing (para. 28)**. The Team's recommendation that the Committee make available on its website the narrative summary of reasons for listing at the same time a name is added to the Consolidated List has been fully reflected in paragraph 14 of resolution 1904 (2009).

12. **Improving quality of information on narrative summaries (para. 29)**. There was broad consensus in the Committee to seek additional relevant information regarding listed individuals and entities from a wider range of States. The Committee also recalls that it systematically seeks such additional information from States of citizenship and residence as part of its ongoing review of the Consolidated List pursuant to paragraph 25 of resolution 1822 (2008), and it will bear this recommendation in mind when conducting the annual review called for in paragraph 32 of resolution 1904 (2009). In this connection the Committee would like to refer to paragraphs 15 and 16 of resolution 1904 (2009). In paragraph 15 the Council "encourages Member States and relevant international organizations to inform the Committee of any relevant court decisions and proceedings so that the Committee can consider them when it ... updates a narrative summary of reasons for listing". In paragraph 16 the Council "calls upon all members of the Committee and the Monitoring Team to share with the Committee any information they may have available regarding a listing request from a Member State so that this information may ... provide additional material for the narrative summary of reasons for listing".

## III. The assets freeze

13. Regarding the Monitoring Team's recommendation on the payment of ransom to listed entities (para. 60), the Committee would like to refer to paragraph 5 of resolution 1904 (2009), in which the Council confirmed that the requirements set out in paragraph 1 (a) of the same resolution also apply to the payment of ransoms to individuals, groups, undertakings or entities on the Consolidated List.

## IV. The travel ban

14. **The importance of the role of the private sector (paras. 72 and 73)**. The Monitoring Team expressed its view that the application of the travel ban could benefit from the involvement of the private sector, namely airlines, as has been the case with the assets freeze. In this connection, the Committee wishes to underline that the responsibility to prevent the unauthorized travel of a listed individual rests primarily with States. However, the Committee does see merit in inviting States to draw the attention of airlines to the existence of the list, and also asked the Monitoring Team to help raise awareness in this regard.

## V. The arms embargo

15. **The scope of the arms embargo (para. 83)**. The Monitoring Team recommends making it explicit that the arms embargo extends to the provision of manpower and training to listed individuals and entities, and that the arms embargo enjoins States to prevent their nationals from receiving training from listed individuals and entities. In this context the Committee wishes to reiterate the importance of the full implementation of the arms embargo and will continue to make every effort to inform States of the full scope of this provision. The Committee would also like to encourage States to make use of the explanation of terms paper on the arms embargo which is posted on the website of the Committee (www.un.org/sc/committees/1267/usefulpapers).

16. **Enhanced cooperation with international organizations (para. 84)**. The Committee agreed to explore, on a case-by-case basis, enhanced cooperation with relevant international organizations in pursuance of its mandate and in order to promote and facilitate implementation of the Council's relevant measures.

## VI. Monitoring Team activities

17. **Procedures of cooperation between the Security Council and the International Criminal Police Organization (INTERPOL) (para. 91)**. The Committee is pleased to note that in 2009 the exchange of information between the Monitoring Team and INTERPOL has led to improvements in the accuracy of the Consolidated List and in the value of INTERPOL-Security Council special notices. The Committee agrees that the time lag between the listing of an individual or entity and the issuance of the corresponding special notice should be reduced to the greatest extent possible. In this connection, the Committee has requested the Secretariat to develop, in consultation with INTERPOL, specific procedures for further cooperation under the framework set out in the October 2009 supplementary arrangement between the United Nations and INTERPOL in relation to Security Council sanctions committees, for the Committee's consideration.

## VII. Member State reporting

18. **Reports pursuant to resolution 1455 (2003) (para. 93)**. The Committee agreed with the recommendation that the Committee focus on gathering the

outstanding reports pursuant to resolution 1455 (2003) that have not yet been submitted.

## VIII. Conclusion

19. The Committee would like to thank the Monitoring Team for its tenth report and the valuable recommendations contained therein. The Committee would like to underline the special importance of these recommendations, many of which were incorporated in resolution 1904 (2009).

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Security Council

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# Report of the Secretary-General concerning the credentials of the representative of China on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received credentials, signed on 19 January 2010 by the Minister for Foreign Affairs of China, stating that Mr. Li Baodong has been appointed representative of China on the Security Council.

In the opinion of the Secretary-General, these credentials are in order.

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United Nations A/64/705–S/2010/127

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Security Council

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10 March 2010

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General Assembly
Sixty-fourth session
Agenda item 17
The situation in Afghanistan

Security Council
Sixty-fifth year

# The situation in Afghanistan and its implications for international peace and security

## Report of the Secretary-General

## I. Introduction and overview

1. The present report is submitted pursuant to General Assembly resolution 63/18 and Security Council resolution 1868 (2009), in which the Council extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) and requested a report on developments in Afghanistan every three months. The present report reviews the situation in Afghanistan and the activities of UNAMA since my previous report, of 28 December 2009 (A/64/613-S/2009/674). During the reporting period, on 6 January 2010, I briefed the Security Council on Afghanistan.

2. The key developments in Afghanistan over the past three months, as described in the present report, include the certification of provincial council elections, the holding of the International Conference on Afghanistan in London on 28 January, the evolution of the security situation, and economic development in the country. The report also provides updates on counter-narcotics, human rights and humanitarian issues. Its structure follows as closely as possible the benchmarks identified in my report of 22 September 2009 (A/64/364-S/2009/475) and provides context for the summary assessment of indicators of progress for each benchmark set out in the annex. Finally, the present report recommends the renewal of the mandate of UNAMA, together with some adjustments, given the developments over the past year.

3. The year ahead will be shaped by the agreements reached at the London Conference on Afghanistan. The Conference, hosted by the Government of the United Kingdom of Great Britain and Northern Ireland and co-chaired by the Government of Afghanistan, the United Kingdom and the United Nations, saw the renewal of the mutual commitment of the Government of Afghanistan and the international community to the implementation of a reform-oriented nation-building agenda, on the basis of President Karzai's 19 November 2009 inaugural speech. The

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78 participating nations and institutions agreed to begin a new phase in the partnership between the Government and the international community, premised on a transition to greater Afghan leadership and responsibility. In this new "transition" phase, the Government will increasingly exercise sovereignty over its own security and development, with the international community playing a supporting role. The outcome document of the London Conference identified steps towards greater Afghan leadership in areas ranging from security to economic development and from governance to regional cooperation. The Conference also generated a consensus regarding an Afghan-led reconciliation and reintegration approach to those anti-Government elements willing to renounce violence and to respect the Afghan Constitution.

4. The London Conference set the agenda for an additional conference to be held in Kabul in spring 2010. It will be the first high-level meeting hosted by the Government of Afghanistan, which has pledged to present concrete programmes to the conference.

## II. Governance and institution-building

5. Following President Karzai's inauguration speech, in which he set out a reformist, State-building agenda (see A/64/613-S/2009/674, para. 13), his immediate task was the formation of a Government. On 19 December, he formally presented a list of Cabinet nominees, including one woman, to the Wolesi Jirga, the lower house of parliament. After holding hearings on 2 January, parliament endorsed only seven nominees, all of whom were men, including five sitting ministers: those for Finance, Agriculture, the Interior, Defence and Education. The President then requested the Wolesi Jirga to remain in session and to postpone its winter adjournment while he prepared a new submission. A list of 17 ministerial candidates, 3 of whom were women, was presented on 9 January. One week later, the Wolesi Jirga confirmed seven of those candidates, including one woman, and adjourned until 20 February.

6. The provincial council election results for all 34 provinces were certified by the Independent Election Commission between 12 November and 26 December 2009. Four hundred and eighteen provincial council members were elected to 420 seats. In total, 122 women were elected. Two seats reserved for women remained empty, owing to the lack of female candidates in Kandahar and Uruzgan. One member of the Meshrano Jirga, the upper house of parliament, was then elected from each provincial council.

7. In early January, the Independent Election Commission announced 22 May 2010 as the date for parliamentary (Wolesi Jirga) elections. While this was understood to be the latest date on which elections could be held in accordance with the Constitution, the Government of Afghanistan and the international community shared the concern that a May election would leave insufficient time for preparation and for needed electoral reforms. On 23 January, the President convened a meeting for the discussion of the 2010 election date, which was attended by a variety of national and international stakeholders, including my Special Representative. The following day, the Commission announced that the elections would be postponed until 18 September 2010. That decision was taken in accordance with article 55 of the electoral law, which, inter alia, allows the postponement of elections for security, financial and logistical reasons.

8. While the new election date still does not allow sufficient time for fundamental reforms that could substantially address flaws in the electoral process, it provides an opportunity to put in place a number of measures that have been called for within and outside Afghanistan in order to strengthen the credibility of the polls. Those measures should include the appointments of members of the Independent Election Commission and its secretariat in such a way as to ensure its independence, impartiality, and credibility; the appointment of a new Electoral Complaints Commission, including international members, in a broadly consultative manner in order to ensure trust in the institution across the political spectrum; measures to safeguard the authority and independence of the Electoral Complaints Commission; the involvement of the international community in the vetting process aimed at ensuring that candidates are not in violation of the electoral law; and remedial action against those involved in fraud in the 2009 elections. In that regard, I welcome the commitment undertaken by President Karzai at the London Conference to guaranteeing the integrity of the electoral process and preventing irregularities and misconduct, as well as the decision by the Independent Election Commission, announced on 4 February, not to rehire some 6,000 persons who worked at polling stations where significant fraud was committed in 2009. My Special Representative has been engaged in a dialogue with President Karzai and other relevant Afghan authorities concerning those measures. I note, however, that on 20 February President Karzai informed parliament that he had issued a decree dated 17 February modifying the electoral law. Among other changes, the decree provides that the Electoral Complaints Commission will now be established by the President in consultation with the heads of the Wolesi Jirga, the Meshrano Jirga and the Supreme Court. Previously, members of the Commission were appointed by the Afghan Independent Human Rights Commission, the Supreme Court and UNAMA. It is important that decisions regarding the electoral process be made within the framework of the broadest possible consultations across the political spectrum, including with the opposition and civil society, in order to ensure the independence and credibility of the electoral process.

9. Corruption within the Government remains among the concerns most frequently cited by both private citizens and Government officials, and is a primary impediment to the entrenchment of effective institutions. A report issued in January by the United Nations Office on Drugs and Crime states that corruption ranks even higher than security as a concern among Afghans. President Karzai focused on this issue in his inaugural speech, and the participants in the London Conference agreed on several mechanisms for reducing corruption or addressing it when it occurs. An anti-corruption unit has been established in the Office of the Attorney-General, and the Supreme Court has appointed judges to an anti-corruption tribunal. Those judges are being subjected to vetting procedures, while preparations are being made for the tribunal's facilities in Kabul. One defendant is already in detention awaiting trial by the tribunal. Regional anti-corruption courts are also operational. Nevertheless, the scale of the problem is such that it requires sustained and systematic efforts on the part of both the Government and its international partners to reduce the corrosive effects of corruption. Such efforts must begin with the implementation of the London commitments as a matter of priority.

10. The need for specific ad hoc anti-corruption measures must not divert attention from longer-term institution-building within the justice sector. The formal justice system remains beyond the reach of many Afghans. Concerns about the corruption

of judges, inefficiency and high costs lead many citizens to resort to traditional methods of dispute resolution. The participants in the London Conference recommitted themselves to the reforms called for in the National Justice Programme. At the same time, a draft policy was recently completed on the integration of the formal and traditional systems, under the auspices of the Ministry of Justice. Should the policy be adopted, as encouraged by the Conference participants, and be implemented in such a way as to guarantee the exercise of fundamental constitutional rights, it would improve the provision of justice to Afghans, as well as the confidence of Afghans in the ability of their Government to guarantee the rule of law.

11. To improve subnational governance, the Performance-Based Governors' Fund was launched in January 2010 by the Independent Directorate of Local Governance. The Fund allocates $25,000 per month to each provincial governor, providing operational funds to increase their effectiveness. A lack of sufficient operational funds has inhibited the work of governors and has made it difficult to attract qualified and competent civil servants for work in the provinces. Further improvements in subnational governance are expected as a result of the long-awaited Subnational Governance Policy and the development, before the Kabul conference, of a coherent framework for priority programmes to allow for the nationwide and systematic strengthening of local governance structures and service delivery.

12. At the London Conference, President Karzai outlined a peace and reintegration programme aimed at promoting peace through dialogue. The programme has two objectives to be pursued in parallel: to encourage rank-and-file Taliban members and their mid-level commanders to put an end to violence and join a constructive process of reintegration in order to benefit from an opportunity for peace, sustained governance and economic development; and to prepare the ground for a peace dialogue at the strategic level with the leadership of the Taliban-led insurgency.

13. The success of any reconciliation process will depend on broad national support. Within Afghanistan, there is the concern that such a process could lead to an erosion of fundamental human rights that have been established in recent years. In order to muster national support for his programme, President Karzai plans to convene a Loya Jirga in spring 2010 that will include tribal and community leaders from across the country, especially those who have felt marginalized by the Bonn process. The President has also invited other countries in the region to support peace initiatives and has requested the King of Saudi Arabia to assist in establishing some dialogue with the Taliban leadership.

14. The President's programme envisages the creation of a national peace council that will oversee the reintegration of armed opposition fighters, as well as the establishment of a donor-funded peace and reintegration trust fund to provide employment and financial incentives for those who renounce violence. At the London Conference, more than $140 million was pledged to the fund. The total cost of the reintegration programme is now estimated at $500 million. The programme has not yet been complemented by a political process. The recent decision of the Security Council to remove five former Taliban officials from the list established pursuant to its resolution 1267 (1999) was welcomed in Afghanistan as a confidence-building measure that could help to lay the foundations for an eventual

political process. Further confidence-building measures on the part of all sides would be useful.

15. On 26 January 2010, the President of Turkey hosted a regional summit in Istanbul for Afghanistan and its neighbours. Its outcome document, the Istanbul Statement on Friendship and Cooperation in the "Heart of the Aria", stressed that a safe, secure, stable and prosperous Afghanistan is a "vital element of regional peace and stability". The participating States reaffirmed their continued support for the political transition and economic development of Afghanistan. The regional summit was preceded by a meeting of the Presidents of Afghanistan, Pakistan and Turkey, held in Istanbul on 24 and 25 January within the framework of the Trilateral Summit process launched in Ankara in April 2007. The three heads of State emphasized the need to enhance regional capacity to respond to the threat of terrorism and reaffirmed earlier commitments to continuing the cooperation among the military and intelligence institutions of the three Governments.

## III. Economic and social development

16. The efforts made over the past year to place priority on the objectives set out in the Afghanistan National Development Strategy and to streamline its implementation have begun to bear fruit. The Government intends to restructure itself in order to accelerate the implementation of the Strategy and focus on economic growth. Thirteen key ministries related to the Strategy will be organized into three cross-cutting clusters: agriculture and rural development, human resource development, and infrastructure and economic development. Participants in the London Conference also agreed that a fourth cluster, on governance, should be established. Each cluster is to be led by a lead minister, who will have the responsibility and the authority to coordinate and direct the activities of the supporting ministries. The cluster leads will present concrete plans at the Kabul conference. The Ministry of Finance will provide support and oversight to all clusters.

17. The implementation of the cluster approach to economic growth will, it is hoped, lead to improvement in the governmental coordination of development programmes. In order to reinforce this new approach, UNAMA, utilizing the increased capacity within its Donor Coordination and Aid Effectiveness Unit, will adapt its activities in order to provide effective support across the clusters. This will assist in the transition to Afghan leadership: rather than acting as the overall coordinator of international assistance, the Mission will increasingly position itself so as to enable the Government to become the main coordinator of such assistance as it pursues its own development strategy.

18. Increasing the percentage of international aid aligned behind the priorities of the Strategy and provided through the Government of Afghanistan continues to be a priority. Because many donors still do not provide information about their activities to the Government, it is impossible to determine whether there has been an increase in aid aligned behind the Strategy. According to the donor financial review conducted by the Ministry of Finance and published in November 2009, of the 34 top donors to Afghanistan, only 15 provided complete data to the Government. The review also noted that over the past seven years, approximately 80 per cent of the assistance provided had bypassed the Government and had not been closely

aligned with Government priorities. More recently, there had been a marginal increase in donor alignment and increased contributions to the Afghanistan Reconstruction Trust Fund as a result of intense coordination efforts. The Government urged the international community to increase contributions made through the Afghan budget to 50 per cent of its total contributions to the country over the next two years. The participants in the London Conference "supported the ambition" of that goal, but did not explicitly commit themselves to it.

19. Furthermore, UNAMA pressed for more equitable distribution of development aid and Government expenditure across the 34 provinces of Afghanistan. The Government's development assistance database provides the platform for the geographical tracking of assistance delivery. Unfortunately, the quality of the information available in the database remains inadequate. Given the critical importance of monitoring aid distribution, the Government has sought to improve the database with a view to better tracking of assistance data at the provincial level. However, information that has been provided continues to indicate that the bulk of development assistance remains targeted at areas in the southern and eastern parts of the country, while other areas remain underserved.

20. Revenue collection and sustainable growth based on Afghan resources have seen substantial improvement. During the second half of 2009, the Government increased its collection of revenue by an estimated 65 per cent. According to the International Monetary Fund (IMF), economic activity expanded by 15 per cent in 2009, supported by a recovery in agriculture, increased donor inflows and improved economic policy. During the same period, inflation dropped and the currency remained stable. Real annual gross domestic product has increased by an average of 7 per cent. Partly fuelling that growth has been an increase in the percentage of goods and services procured locally by international actors. UNAMA, together with the international non-governmental organization Peace Dividend Trust, launched a campaign in June 2009 to encourage the international community to increase its local procurement by at least 10 per cent. A comparison of available data for the period from June 2009 to January 2010 with those for June 2008 to January 2009 indicates a 61 per cent increase in the amount of local procurement reported by international actors.

21. In addition, Afghanistan enjoyed increased foreign direct investment during the second half of 2009. According to IMF, foreign direct investment has increased at a relatively steady rate of approximately 2 to 3 per cent per year since 2006/07, peaking at nearly $300 million in 2008/09. However, it is projected that the rate will drop in 2009/10 to between 1 and 2 per cent.

22. Development at the subnational level is difficult to determine, given the lack of relevant information. Assessments of the alignment of the development activities carried out by subnational actors have not been conducted by the Government, owing to capacity constraints within the Ministry of the Economy. Available information suggests that, despite efforts by the Ministry of Finance, provincial development plans are not reflected in the central Government budget and funds are not allocated to the provinces, owing to a lack of resources and the weakness of institutional delivery mechanisms. The Performance-Based Governors' Fund, noted above, was established in order to partially compensate for those weaknesses in the short term.

# IV. Security

23. The deterioration of Afghanistan's security situation has continued, with 2009 being the most volatile year since the fall of the Taliban in 2001, averaging 960 security incidents per month, as compared with 741 in 2008. The situation worsened in January 2010, with the number of security incidents 40 per cent higher than in January 2009. That increase was the result of a combination of factors, including an increased number of international military troops and mild weather conditions in several parts of the country. The majority of incidents involved armed clashes and improvised explosive devices; suicide attacks decreased significantly during the last three months of 2009, mainly as a result of reinforced security arrangements in major cities and ongoing security operations. There was an average of 1.6 suicide attacks per week, as compared with the average of 3 per week that had been occurring since early 2007; there were only 5 suicide attacks throughout the country in December 2009. Such attacks usually have an indiscriminate impact on the civilian population.

24. The fourth quarter of 2009 saw a decrease in the number of recorded civilian casualties as compared with the same period in 2008. However, the number of civilian casualties recorded in December 2009 increased by more than 50 per cent as compared with December 2008. Overall, the intensification of the armed conflict in the south, and its expansion into areas previously considered stable, made 2009 the worst year for civilian fatalities since the fall of the Taliban regime in 2001. A total of 2,412 civilian deaths were recorded, representing a 14 per cent increase over the previous year. Of those deaths, 1,630 (67 per cent) were attributed to anti-Government elements and 596 (25 per cent) to pro-Government forces. The remaining 186 (8 per cent) could not be attributed to either party to the conflict. Measures taken by international forces to reduce civilian casualties, in particular a tactical directive issued in July 2009 to limit the use of force in populated areas, contributed to a 28 per cent reduction in the total number of recorded civilian deaths attributed to pro-Government forces in 2009 as compared with 2008. The use of air strikes and the proximity of military facilities to civilian areas, however, continued to increase the dangers faced by civilians. Notwithstanding a Taliban code of conduct, which was also issued in July 2009 to prevent civilian casualties, civilian deaths attributed to anti-Government elements rose by 41 per cent as compared with 2008.

25. There was an average of seven assassinations and the same number of abductions every week during the reporting period. Abductions and assassinations of community leaders and clerics not only discourage the population from cooperating with the Government, but also undermine the protection provided to aid workers by local communities. The number of attacks against the aid community remained consistent, with abductions of national staff increasing, while attacks on convoys and facilities decreased. The freedom of movement of unarmed civil servants has suffered as a result of intensified fighting and increased campaigns of intimidation and assassination. In comparison with December 2008, access for civil servants decreased in 39 districts (out of a total of 364), with 30 per cent of districts only partly accessible to unarmed Government officials. Direct attacks against the aid community have limited the accessibility of development programmes in 94 districts considered very high risk and 81 districts assessed as high risk.

26. Mines and explosive remnants of war continued to have a severe impact on the lives and the livelihoods of millions of Afghans. Afghanistan remains one of the countries most contaminated by landmines and explosive remnants of war in the world, with more than 2,150 communities directly affected and an average of 42 people killed or injured every month, a large majority of whom are children. In addition to causing loss of life and serious injury, mine contamination has prevented livelihood activities, including by blocking access to agricultural land, water, health and education.

27. During the second half of 2009, the Afghan National Security Forces, alongside their international military counterparts, conducted operations throughout Herat and Faṛah provinces in the west, avoiding civilian casualties and giving rise to a wave of candidates for reconciliation and reintegration. Since then, the situation has grown increasingly stable in both provinces, although the Taliban have been able to maintain high levels of violence in Badghis. Ghor has remained stable. Similar operations carried out in Kunar, Laghman and Nangarhar provinces, in the east, were equally successful, but Government accessibility remains tenuous and mostly limited to district centres. The local interlocutors of UNAMA in the provinces of Takhar and Badakhshan have reported that local populations are satisfied with the current level of security.

28. In February 2010, the Afghan army and the International Security Assistance Force (ISAF) launched an offensive involving 15,000 troops against a Taliban stronghold in Helmand. The operation, which focused on Marjah, in the centre of a significant opium-growing region, is to be followed by a major governance effort.

29. Public attitudes towards the police and the army are generally unchanged. The Mission's Afghan interlocutors continue to complain that the Afghan National Police are involved in smuggling, kidnapping, and extortion at checkpoints. Recruitment practices within provincial and district police hierarchies have resulted in ethnic and tribal imbalances among recruits, exacerbating tensions with local communities. At the same time, a survey conducted in 2009 by the United Nations Development Programme (UNDP) found that 82 per cent of respondents throughout Afghanistan believed that the police in their areas were doing a very good or fairly good job.

30. The Afghan National Army is generally viewed positively, owing to its more effective training, its higher degree of internal discipline and its better equipment. As a result, some have proposed an enhanced role for the army in providing local security. There is, however, a risk posed by increased use of the army for functions normally performed by the police. The development of the National Security Strategy, to be completed before the Kabul conference, should clarify the roles and responsibilities of the Afghan National Army and the Afghan National Police.

31. In order to meet President Karzai's stated objective of ensuring that the Afghan National Security Forces assumes full responsibility for security within five years, the ministries of Defence and the Interior initiated efforts to raise the numbers of army and police personnel from their current levels of approximately 104,300 and 96,800, respectively, to 134,000 and 109,000 by October 2010, and to 171,600 and 134,000 by October 2011. Those increased growth targets were agreed to by the Joint Coordination and Monitoring Board at its meeting held on 20 January and subsequently endorsed at the London Conference. Although the Afghan National Army is now slightly behind with regard to its desired growth plan, it is anticipated

that recent recruiting success and new pay raises aimed at improving retention will soon place army growth back on track. The focused district development programme, aimed at improving police performance at the district level, has covered 80 districts thus far. A new programme, called focused border development, has also been initiated to improve the quality of the border police.

32. Furthermore, the participants in the London Conference agreed to develop a plan for a phased, province-by-province transition to Afghan-led security starting by late in 2010 or early in 2011, provided that necessary conditions are met. A significant increase in the number of international forces to support the training of Afghan forces was also confirmed. For the army, 21 teams of 20 to 30 trainers are required, with 119 such teams required for the police. In addition, approximately 1,300 institutional trainers are required for such capacities as officer training, Staff College, weapons training and the counter-insurgency academy.

33. During the 20 January meeting of the Joint Coordination and Monitoring Board, the Minister of the Interior presented an Afghan National Police strategy for approval. The strategy identifies specific threat areas and priorities, and divides the police force into six pillars: (a) civilian police; (b) gendarmerie; (c) border police; (d) anti-crime police; (e) a public protection force; and (f) enablers (i.e., administrative and institutional support mechanisms). This plan, once endorsed, will finally resolve long-standing differences within the international community over the structure of the Afghan National Police, and, in particular, over whether it should lean more towards a gendarmerie or towards a civilian police force. A lack of agreement over the past several years regarding this issue has stalled police reform and given rise to contradictory approaches on the part of major donors. In that context, it is essential that UNAMA maintain and expand its police advisory presence in all eight regional offices to provide liaison, monitoring and advice on police and security-related issues.

34. Significant improvements have been achieved in tracking the actual number of police serving in the Afghan National Police. A new personnel asset inventory programme is being jointly implemented by the Ministry of the Interior and ISAF police training components. Nearly 50 per cent of the total force has been covered, including those serving in the most volatile districts and provinces. In January 2010, 94 per cent of all police were covered by the electronic payroll system and 73 per cent were covered by the electronic fund transfer system. Both systems reduce opportunities for corruption in the payment of police salaries. In order to further facilitate salary payment to police serving in high-risk areas, a new programme allowing for transfer by means of mobile phones has been introduced.

## V. Human rights

35. With respect to conflict-related detention, a memorandum of understanding between the Government of Afghanistan and the United States Department of Defence, signed in January 2010, envisages the transfer of responsibility for detainees held at the Bagram Theatre Internment Facility to the relevant Afghan authorities in 2012 for investigation, eventual prosecution and trial. It will be important that such detainees be treated humanely and be afforded guarantees of fair trial.

36. The fight against impunity was challenged with the publication of the law on public amnesty and national stability. The law was gazetted at the end of November 2008 but not publicized until recently. It grants amnesty to perpetrators of past serious crimes, including grave human rights abuses, in violation of the obligations of Afghanistan under its Constitution and international law.

37. The fact that well-known alleged human rights perpetrators and individuals linked to illegal armed groups were able to stand for election to public office was a factor undermining the election process in 2009. A comprehensive vetting plan that accurately identifies and disqualifies candidates, and measures aimed at increased participation on the part of women and minorities, both as candidates and as voters, and increased space for freedom of expression need to be put in place to help create an environment conducive to free and fair parliamentary elections in September 2010.

38. Closely linked to impunity and the abuse of power are attacks on freedom of expression, carried out by both State and non-State actors. According to a local media organization, there were 83 incidents of violence against media personnel in 2009, including 3 journalists killed, 42 imprisoned, 21 physically assaulted and 13 intimidated by insurgents or Government officials. There is the concern that provisions restricting media content in the media law, which entered into force in July 2009, could leave scope for violations and abuse. Similar wording in the previous media law often resulted in the arrest and intimidation of journalists who had criticized the Government or exposed corruption. Also of concern is the inclusion of criminal defamation, which is not a justifiable restriction on freedom of expression under international law.

39. A task force that includes UNAMA, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees (UNHCR), the United Nations Office on Drugs and Crime, the World Health Organization, the Afghan Independent Human Rights Commission and a representative of international non-governmental organizations monitors and reports on the situation of children in armed conflict. The task force recorded nearly 180 incidents of conflict-related violations of children's rights, in which at least 120 children were killed or injured. Attacks on schools and hospitals remain a grave concern, with 47 such incidents reported. Although the Government of Afghanistan has ratified the Rome Statute of the International Criminal Court, the harmonization of national legislation has not yet taken place. No progress has been made in criminalizing child recruitments in accordance with international standards.

## VI. Counter-narcotics

40. The Opium Winter Rapid Assessment Survey, issued by the United Nations Office on Drugs and Crime on 10 February 2010, based on a survey of farmers' intentions at planting time, predicts that opium cultivation levels will be similar to those in 2009. Eight additional provinces (Baghlan, Faryab, Sari Pul, Badakhshan, Kabul, Kunar, Laghman and Nangarhar) may become poppy-free in 2010, provided targeted assistance is delivered in the immediate term. Opium cultivation in Afghanistan has declined by 36 per cent over the past two years, owing in large part to market forces that have made the cultivation of licit crops more attractive. Prices

for licit crops have begun to fall, however, raising the possibility that farmers may again turn to opium. If the decline in production over the past two years is to be consolidated, increased agricultural assistance and better governance at the subnational level are required.

41. Three joint operations among Afghanistan, Iran (Islamic Republic of) and Pakistan were successfully carried out as part of the triangular initiative of the Rainbow Strategy, which was also implemented by the United Nations Office on Drugs and Crime. During those three operations, 40 traffickers were arrested and 948 kilograms of opium, 351 kilograms of heroin and 483 kilograms of hashish were seized. The three countries agreed to appoint permanent liaison officers to the joint planning cell in Tehran and to establish a border liaison office on each border. Also under the Rainbow Strategy, Operation TARCET (Targeted Anti-trafficking Regional Communication, Expertise and Training) successfully completed its cross-border intervention regarding precursor chemicals, with the involvement of all eight participant countries: Afghanistan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkmenistan and Uzbekistan.

## VII. Humanitarian situation

42. The number of internally displaced Afghans is estimated at 296,000. Conflict-induced displacement continues to occur, especially in the southern and western regions of the country, with a substantial number of families displaced as a direct consequence of the hostilities. The recent military operations conducted in Marjah and Nad Ali, in southern Helmand Province, have caused the displacement of more than 1,500 households. There have been smaller-scale displacements in Zabol, Badghis, Farah and Ghor provinces. Many internally displaced persons remain unaccounted for as a result of the scattered nature of their displacement and lack of humanitarian access.

43. Humanitarian response continued to be impaired by lack of access and increasing movement and operational restrictions owing to the deteriorating security environment. In some areas, ongoing military operations have completely cut off access to populations. This has prevented both the verification of reported displacements and the delivery of assistance to those in need. The United Nations Office for the Coordination of Humanitarian Affairs has continued to advocate for full compliance with the established international and Afghan-specific humanitarian civilian-military guidelines, in particular calling for the military to limit its role by providing humanitarian assistance only as a last resort, when civilian actors are unable to provide it.

44. Although the winter has been mild, humanitarian agencies had developed winter-preparedness plans as part of each regional humanitarian contingency plan. The World Food Programme (WFP) pre-positioned to remote areas some 28,760 metric tons of food to support 803,715 beneficiaries. This was complemented by non-food items distributed by UNHCR to more than 200,000 vulnerable displaced persons. In 2009, WFP fed a total of approximately 9 million vulnerable Afghans. This included the provision of 51,370 metric tons of food assistance to nearly 1.4 million Afghans, including 325,400 people affected by localized emergencies such as the spring floods. In close cooperation with UNHCR, it also assisted 118,800 internally displaced persons and 43,600 returnees.

45. The new, more focused Humanitarian Action Plan for 2010 was launched in January. Although the Plan has yet to receive funding this year, it was well noted at the London Conference, and efforts are ongoing to engage a wide spectrum of donors active in Afghanistan.

## VIII. Mission support

46. In order to meet the objectives outlined in my previous report to the Security Council (A/46/613-S/2009/674), the General Assembly approved a 33 per cent increase in the 2010 budget of UNAMA as compared with the final allotment for 2009. This includes increasing the number of international staff by 138, the number of national professionals by 77, the number of national support staff by 495 and the number of United Nations Volunteers by 22. The 2010 budget provides for the opening of four new provincial offices, in Jawzjan, Takhar, Panjsher and either Paktika or Laghman depending on the security situation. Two provincial offices were opened in 2009, in Sari Pul and Tirin Kot. The Farah office is operational but awaiting its formal opening. The Jawzjan and Takhar offices are also operational; however, the scheduled formal opening ceremony had to be postponed as a result of inclement weather. Owing to the security risks, the Mission has not yet been able to open offices in Ghazni or Helmand. It continues to seek solutions with its partners in the area in order to ensure the opening of such offices in 2010. In provinces where the Mission has no field offices, it continues to be active through periodic visits. In addition to its liaison offices in Islamabad and Tehran, the Mission has assigned a staff member to the United Nations Regional Centre for Preventive Diplomacy for Central Asia, in Ashgabat, Turkmenistan, to promote contacts and dialogue in the wider region, in accordance with its mandate to "support regional cooperation to work towards a stable and prosperous Afghanistan".

47. The recruitment of staff remains a concern and a priority. The introduction of the reformed human resources policy resulted in a recruitment lag as the new system was put in place. Staff departures from the Mission were not matched by new recruitments. The 2010 budget provided for additional posts to be filled. As a result, the current vacancy rate has increased dramatically, to 42 per cent for international staff and 38 per cent for national staff. In order to address this, the Department of Field Support sent a recruitment team to UNAMA to assist with and help complete 60 to 70 international staff recruitment cases by the end of March. The Secretariat also approved the special delegation of recruitment authority to the Mission in order to accelerate the recruitment process.

48. All staff relocated to Dubai following the attack on the Bakhtar guest house had accommodation in Kabul by the first week in March, thanks to the availability of 30 additional housing units at the United Nations Operations Centre in Afghanistan. Another 50 units will be ready by the end of April for staff temporarily relocated within Afghanistan, as well as newly recruited staff. In the short term, recruitment is focusing on vacancies in the provincial and regional offices, which include protected residential units. A total of 100 more units in Kabul are planned by the end of the year, together with additional accommodations in the field.

# IX. Mandate of UNAMA

49. In response to the deterioration of the security situation in the south and to the increased number of credible threats against the United Nations, I approved the declaration of Security Phase Four in the southern region from 19 February 2010, as suggested by my Special Representative and United Nations designated official for security, upon the recommendation of the United Nations security team in Afghanistan. UNAMA and other United Nations entities are working on additional risk mitigation measures to ensure a minimal presence in the southern region for vital emergency, humanitarian relief, security and any other operations deemed essential.

50. The mandate of UNAMA, which expires on 23 March 2010, should be renewed for an additional 12 months. The nine elements of the mandate, set out in paragraph 4 of Security Council resolution 1868 (2009), should continue to guide the Mission's work in Afghanistan. However, modifications to three of those elements should be considered.

51. First, the Mission's overall coordination mandate should take into account the increasing coordination role that the Government of Afghanistan itself is playing. UNAMA should, as co-Chair of the Joint Coordination Monitoring Board, continue to promote a more coherent approach on the part of the international community, as well as adherence to the principles of aid effectiveness, but it should also increasingly work to support the Government's own coordination capacity, mostly within the Ministry of Finance. The agreement, reached at the London Conference, to appoint a senior civilian representative to coordinate the civilian activities carried out by ISAF, in particular those of the provincial reconstruction teams, and the planned consolidation of the offices of the European Union and the European Commission under a single representative following the entry into force of the Lisbon Treaty, should improve the coordination of assistance provided under the auspices of those two organizations. The establishment within UNAMA of a dedicated group of senior advisers could improve the responsiveness of donor agencies, thus increasing the coordination of their efforts behind Government-led programmes.

52. Secondly, with regard to elections, should a request for electoral assistance be made by the Government of Afghanistan, and should the Security Council mandate it, UNAMA would be ready to provide, through the Independent Election Commission, overall political coordination of international support for elections, while technical assistance would be implemented through UNDP. The role of the United Nations will clearly be one of support for Afghan electoral institutions and capacity-building. The nature and the extent of that support will depend on reforms and corrective measures to propose the electoral process, as set out in paragraph 8, as well as on the level of the financial support provided by international donors and on the prevailing security environment, particularly in terms of the safety and security of United Nations staff. In case the United Nations may not be able to provide the same level of support as in 2009, including at the field level, partners will need to supplement areas not covered by the Organization. In addition, the United Nations is committed to continuing to assist the Government in working on future longer-term electoral reform.

53. Thirdly, the Mission's mandate in the area of reconciliation enables it to provide good offices to support the implementation of Afghan-led reconciliation programmes. President Karzai, in his inaugural address, clearly stated his intention to begin such a programme. The details should emerge as a result of the Loya Jirga to be held later this year. UNAMA can also play a role in advocating confidence-building measures that would enable the Government-led process to succeed. In addition, it can lend its good offices — in the region and more broadly — to those efforts on the basis of the consent of the parties concerned, although the nature of the task could initially require discretion and flexibility. Finally, the Mission should play a formal role in the management of the reintegration programme.

## X. Observations

54. The next three months present a crowded agenda in Afghanistan. President Karzai intends to hold a peace jirga on reconciliation in April, I scheduled the Kabul conference for June, election preparations must begin, and the military surge will continue. Those events and processes must be managed in such a way as to ensure that they reinforce, rather than undermine, one another and that they do not take away political energy from previously established priorities.

55. If well managed, these events could form the structure of a transition to greater Afghan leadership. The focus of this transition is on making Afghan sovereignty real. There is no sovereignty without capacity and responsibility, and the purpose of the transition is to ensure that the Government of Afghanistan has both sufficient capacity and sufficient responsibility to exercise actual sovereignty. This process could be undermined if the international community were to bypass the Government. It is therefore essential that we promote a new mindset that shows greater respect for Afghans' own understanding of their country.

56. Achieving the transition to sovereignty will also require a balance between military and civilian efforts. While I have welcomed the additional international military forces, I must at the same time caution against a militarization of the overall effort in Afghanistan. As many civilian tasks as possible must be handed over to Afghan civilian institutions. The temptation to achieve short-term results from unsustainable projects aimed at meeting political deadlines in troop-contributing countries must be resisted. And the tendency to allocate the distribution of aid according to where donors' troops are most heavily focused — while understandable and, to a certain extent, justifiable — must begin to give way to a more coherent, nationally based assistance strategy that can provide the real economic growth needed to underpin a transition strategy.

57. The present report notes some improvements in the effectiveness of aid delivered. It is clear, however, that too little information about donor activities still reaches the Government, whether those activities are performed by military or civilian actors. There is a prevailing tendency to implement projects without sufficiently consulting Afghans or working through their institutions. In doing so, we miss opportunities to obtain their full support for projects carried out in their name and to gain the benefits of their own knowledge of their country. Making the transition to an Afghan lead requires the increased involvement of Afghans. Our deeds must match our words.

58. On the political front, the parliamentary elections scheduled for 18 September will no doubt be another challenge for Afghan institutions and will consume a great deal of political energy during the second half of the year. In many ways, those elections will be more complex than the presidential election in terms of their logistical and political aspects. If the electoral institutions of Afghanistan function in a transparent, impartial and independent manner that allows the votes of legitimate voters to be credibly cast and counted, then a crucial milestone for the consolidation of democracy will be passed. If not, the risks of instability that were latent in the 2009 presidential election, and avoided through statesmanship and the effective functioning of some key institutions, will increase.

59. As noted in the present report, a significant development over the past few months was the growing consensus that there is a need for a political process to end the conflict, as well as for the establishment of a programme to reintegrate into their communities low- and mid-level insurgents who wish to give up fighting. These are, all included, elements of a resolution to a conflict that needs to end. But they must be combined with improved governance and more efficient aid in order to regain the trust of disaffected populations. Above all, efforts to end the conflict must result in a strengthened political order underpinned by the Constitution.

60. Those who choose to reconcile must respect the achievements made since 2002 and accept the aspirations of the majority of Afghans to a peaceful and prosperous Afghanistan where each and every Afghan can enjoy his or her rights as enshrined in the Afghan Constitution.

61. I noted at the outset of these observations the heavy calendar for the months ahead. This is no less true for UNAMA itself. During the same period, UNAMA will see the arrival of a new Special Representative of the Secretary-General, Staffan de Mistura, as well as the renewal of the Mission's mandate. I would like to take this opportunity to express my gratitude to Special Representative Kai Eide, who, over the past two years, has helped to shape the agenda in Afghanistan, strengthened UNAMA and lived up to the words that he spoke when he first arrived: that he was there to serve the people. I would also like to thank the brave and dedicated men and women of UNAMA, who, every day they are in Afghanistan, make the ideals of the United Nations into a reality.

# Annex

## Benchmarks and indicators of progress

### I. Governance and institution-building

**Benchmark: extension of Government authority throughout the country through the establishment of democratic, legitimate, accountable institutions, down to the local level, with the capacity to implement policies and to be increasingly capable of sustaining themselves**

Requirements for progress include political will and funding for the building of national and subnational institutions, including within the justice sector; commitment to combat corruption and enforce the rule of law; and the capacity of relevant Afghan institutions to organize elections.

| *Indicators of progress* | *Assessments* |
|---|---|
| Holding credible national and subnational elections | • Presidential and provincial council elections were held and election results certified. |
| | • United Nations Assistance Mission in Afghanistan (UNAMA), national and international observers indicate that there were significant irregularities in the process. |
| | • Some voters, candidates and political parties expressed dissatisfaction with the process, including with regard to perceived interference by the international community. |
| Improvements in civil service capacity at the central, provincial and district levels | • Civil service training centres and/or training facilities providing a professional learning environment for Government employees exist in 32 of the 34 provinces. |
| | • In January and February across Afghanistan, 3,204 civil servants received formal training from the International Civil Service Commission supported by the international community. |
| | • The pay and grading reform process continues, with the positions of 4,000 civil servants and 41,000 teachers covered during the reporting period. |
| | • Seven additional Mission-supported capacity-building working groups were established, bringing the total to 31. |
| Decreasing corruption within Government institutions | • United Nations Office on Drugs and Crime survey on public opinion regarding corruption issued. |
| | • Afghanistan dropped in rank from 176th to 179th of the 180 countries on the Corruption Perceptions Index of Transparency International. |

| *Indicators of progress* | *Assessments* |
|---|---|
| | • During the reporting period, 15 of the 34 provinces have established provincially led initiatives to begin addressing corruption. UNAMA, where requested to do so, is providing technical and organizational support, including terms of reference, to ensure their functionality. |
| | • Terms of reference for a team of vetted and specialized anti-corruption prosecutors in the Office of the Attorney General were finalized. The team, with international advisory assistance, began to prosecute corruption cases in autumn 2009. |
| | • Late in 2009, the vetting of judges for a central anti-corruption tribunal began. The Supreme Court began appointing judges to serve in provincial anti-corruption courts. |
| Increase in State revenue collection (taxes and tariffs) | • The tax and tariff revenue collected from July through December 2009 is approximately 4 percent higher than that collected during the preceding period (January-June 2009), according to Ministry of Finance figures. |
| Establishment of credible judicial and penal systems that respect and uphold human rights, and a judicial system accessible to all citizens | • More than 540 judges and 87 prosecutors and defence lawyers have enrolled in intensive pre-professional-stage programmes. An additional 70 prosecutors are currently enrolled in an intensive in-service-stage training programme. |
| Provision of adequate infrastructure to enable the functioning of Government institutions, especially at the subnational level | • The Government, with international support, has constructed 169 district government offices, out of the 364 planned. |
| Improved public perception of the integrity and effectiveness of the formal justice system and reliance upon it | • Reports of corruption among the judiciary and prosecutorial services continue. |
| | • The Ministry of Justice began work on a national policy to guide the promotion of public legal awareness. |
| | • At the London Conference, the Government undertook to increase its efforts to implement the National Justice Programme in order to make the provision of justice more transparent, fair and accessible to all Afghans on an equal basis. |

## II. Security

**Benchmark: development of a sustainable Afghan security structure that is capable of ensuring peace and stability and protecting the people of Afghanistan**

Requirements for progress include an increase in the quality and quantity of Afghan National Police/Afghan National Army personnel and the gradual transfer of responsibility from international forces to Afghan national security forces; a sustained reconciliation process developed and led by the Government of Afghanistan; efforts to combat corruption within the Afghanistan security forces at the local and national levels; funding and expertise for mentoring and training.

| *Indicators of progress* | *Assessments* |
|---|---|
| Increase in the number of police and army personnel mentored, trained and operational according to an agreed structure | • In January 2010, according to the payroll statement of the Law and Order Trust Fund for Afghanistan, 96,800 police (the full sanctioned strength) were on payroll.<br>• An estimated 50 per cent of the members of the Afghan National Police have received basic training. Focused district development training has been completed in 80 districts.<br>• In January 2010, the number of Afghan National Army troops was 100,131, compared with a target of 102,750.<br>• All Afghan National Army *kandaks* are partnered by international military forces, but "embedded partnering" has yet to be fully implemented in Regional Command North, Regional Command West and Regional Command Central of the International Security Assistance Force (ISAF). |
| Improved level of secure access by the Government, the international community and non-governmental organizations to districts across Afghanistan | • The level of access slightly decreased, especially in areas of newly emerging conflict. In December 2009, approximately 30 per cent of the districts were largely inaccessible to unarmed civil servants. |
| Improvement in the public attitude towards the police and army and of public perceptions of the security situation | • A survey completed by the United Nations Development Programme in October 2009 indicated that 82 per cent of respondents believed that the Afghan National Police were doing a very good or fairly good job in controlling crimes. Unconfirmed reports to UNAMA field offices are more negative, including complaints that the police are involved in smuggling, kidnapping and extortion. |

## III. Economic and social development

**Benchmark: Government policies backed by international support to promote sustainable economic growth that contributes to overall stability**

Requirements for progress include the adoption and implementation of strategies by the Government of Afghanistan for the sustainable development of Afghanistan; alignment of donors behind Government-designed programmes; improved coordination and coherent support by the international community to the Government and adherence to the principles of aid effectiveness; and long-term commitment on the part of the donors.

| *Indicators of progress* | *Assessments* |
|---|---|
| Well-designed national programmes, in particular in the priority areas of agriculture, capacity-building, higher/vocational education, private sector development and infrastructure | • National programmes have been developed in all priority areas. The Government launched a national strategy for higher education, aimed at doubling the number of university seats within five years, which is awaiting donor support.<br>• With the Ministry of Education and donors, an Education Development Board was established as a platform for policy advice and donor coordination.<br>• The national education strategic plan for 2010-2014, the national literacy action plan and the national higher education strategic plan for 2010-2014 were developed.<br>• The National Agricultural Development Framework, designed by the Government, launched five priority initiatives: (a) the immediate purchase of wheat seed; (b) the leasing of land for agriculture; (c) the provision of access to credit; (d) improved management and reform of the Ministry of Agriculture, Irrigation and Livestock; and (e) the Comprehensive Agricultural and Rural Development Facility, aimed at reducing poppy cultivation in targeted districts.<br>• A standard curriculum on five common functions, aimed at improving the capacities of Afghan civil servants, was designed by the Government and its implementation begun.<br>• The Ministry of Commerce and Industry identified sectoral priorities and began to design programmes to increase productive investment in the economy, in coordination with UNAMA and donors. |

| *Indicators of progress* | *Assessments* |
|---|---|
| Increased percentage of aid aligned behind the Afghanistan National Development Strategy and Government priorities | • As there is no clear picture regarding the allocation of off-budget aid, the level of alignment behind the Strategy could not be determined. The Ministry of Finance reported marginal increases in donor alignment and urged the international community to increase the proportion of development aid delivered through the national budget to 50 per cent over the next two years. |
| | • Information contained in the ISAF Afghanistan country stability picture database is provided to the Ministry of Finance, but not integrated into the development assistance database. The Afghanistan country stability picture database will be replaced by a new system early in 2010. |
| More equitable distribution of development aid and Government expenditure throughout Afghanistan | • Donors have not provided sufficient information to make it possible to accurately assess the geographic distribution of aid throughout Afghanistan. The development assistance database has been upgraded to improve its ability to track such information. |
| | • Currently available donor information indicates that funding is being directed mainly to the southern and south-eastern provinces. |
| Increased revenue collection and sustainable growth based on Afghan resources | • According to the Ministry of Finance, the Government has increased revenue collection by more than 65 per cent over the past six months. |
| | • According to the International Monetary Fund (IMF), economic activity expanded by 15 per cent in 2009. Real growth in gross domestic product has continued and is projected to increase by an average of 7 per cent annually. |
| Increased percentage of goods and services procured locally by international actors | • Compared with the same period in the previous year, there was a 61 per cent increase in the amount of local procurement during the period June 2009 to January 2010, as reported by the international community. |
| Increased foreign direct investment | • According to IMF, foreign direct investment in Afghanistan has been increasing at a rate of approximately 2 to 3 per cent per year since 2006, peaking at $300 million in 2008/09. Projections for 2009/10 predict a decline to approximately 1 to 2 per cent. |
| Increased development at the subnational level | • Provincial development plans are not reflected in the central Government budget, and funds have not been allocated to the provinces, despite efforts by the Ministry of Finance. |

| *Indicators of progress* | *Assessments* |
|---|---|
| | • Owing to a lack of capacity within the Ministry of the Economy, the Government has been unable to assess the alignment of development activities carried out by subnational actors. |
| Decrease in the percentage of households living below the poverty line | • According to the National Risk and Vulnerability Assessment 2007/08, published in 2009 — the latest such report — 36 per cent of Afghans live below the national poverty line (approximately $14 per person, per month). This represents a 6 per cent decrease as compared with the previous survey, which recorded 2005 figures and was published in 2007. |

## IV. Human rights

**Benchmark: improved respect for the human rights of Afghans, in line with the Afghan Constitution and international law, with particular emphasis on the protection of civilians, the situation of women and girls, freedom of expression and accountability based on the rule of law**

Requirements for progress include sustained willingness to adhere to international humanitarian and human rights law; an independent and effective police, judicial and penal system across the country; adherence by the central Government and subnational governments to Afghan legal and constitutional norms; and appropriate allocation of funds for training, capacity-building and infrastructure, and for civil society.

| *Indicators of progress* | *Assessments* |
|---|---|
| Reduction in the number of incidents of unlawful use of force and in related intimidation involving civilians, and mitigation of the impact of the armed conflict on civilians, through compliance by relevant actors with international law | • The year 2009 witnessed the highest number of civilian fatalities since 2001: 2,412 civilians were killed, a 14 per cent increase over 2008. Of those deaths, 1,630 (67 per cent) were attributed to anti-Government elements and 596 to pro-Government forces. The remaining 186 could not be attributed.<br>• Measures taken by international military forces to reduce the impact of its operations on civilians contributed to a 28 per cent reduction in the total number of recorded civilian deaths attributed to pro-Government forces in 2009.<br>• Monitoring and advocacy raised awareness of the need for parties to the conflict to respect international human rights and international humanitarian law, and influenced policies aimed at reducing the number of civilian casualties. The relationship with the ISAF civilian casualty tracking cell was strengthened. |

| Indicators of progress | Assessments |
|---|---|
| Improved awareness by Afghans of their rights and by the Government of its obligations | • Awareness concerning discrimination against women, transitional justice and the right to political participation was being promoted through concerted efforts to strengthen the advocacy skills of Afghan partners.<br>• The debate on the Shia law helped to further raise awareness regarding women's rights.<br>• Three public reports related to the elections monitoring exercise increased awareness of the need for free and fair elections. |
| Improved impact of, and support for, measures (including legal and policy reform) to combat violence against women and girls | • The debate on the Shia law led to closer working relationships between relevant stakeholders.<br>• Proposed amendments to strengthen the law on the elimination of violence against women were formally presented to a parliamentary commission. |
| Improved awareness of, and support for, measures (including legal and policy reform) in relation to impunity and the transitional justice agenda, as well as freedom of expression | • Civil society was mobilized to establish a Transitional Justice Coordination Group.<br>• Media organizations agreed on a common platform (the Kabul Declaration) for the strengthening of mechanisms for protecting freedom of expression.<br>• In January 2010, it emerged that the law on public amnesty and national stability, granting amnesty to perpetrators of past serious crimes, had been gazetted in 2008. |
| Government fulfilment of reporting requirements on international human rights covenants and conventions and implementation of the recommendations from the Human Rights Council universal periodic review of Afghanistan | • UNAMA continued to work with the Government to improve the fulfilment of its reporting requirements in accordance with international human rights standards.<br>• The Government reported within the framework of the universal periodic review mechanism of the Human Rights Council, and reviewed progress in implementing its obligations under the International Covenant on Economic, Social and Cultural Rights.<br>• In August 2009, the Afghan Ministry of Foreign affairs launched its first report on the Convention of the Rights of the Child. |
| Improved capacity of Afghan and international actors, and primarily of the Government, to respect, protect and fulfil human rights, including with the support of the Afghan Independent Human Rights Commission, the media and civil society | • Progress was made regarding the capacity of the justice sector to address arbitrary detention, as well as the application of fair-trial guarantees.<br>• UNAMA continued to mentor the Afghan Independent Human Rights Commission and to support the development of its capacity to assess the enjoyment of economic and social rights. |

| *Indicators of progress* | *Assessments* |
|---|---|
| | • A Human Rights Support Unit was established in the Ministry of Justice to mainstream the Government's human rights obligations across line ministries. |

## V. Counter-narcotics

**Benchmark: sustained trend in the reduction of poppy cultivation, narcotics production and drug addiction**

Requirements for progress include effective programmes for alternative livelihoods and for combating crime and narcotics-related corruption; improved coordination between the Government of Afghanistan and neighbouring countries, including interdiction and counter-trafficking efforts; and improved coordination between the Government of Afghanistan and international security forces.

| *Indicators of progress* | *Assessments* |
|---|---|
| Decrease in poppy cultivation and narcotics production | • In 2009, opium cultivation in Afghanistan decreased by 22 per cent, from 157,000 to 123,000 hectares. |
| | • In 2009, the area under opium cultivation increased in Nangarhar, Badakhshan, Kandahar, Day Kundi, Badghis and Herat, by 11,500 hectares. |
| | • In 2009, the number of poppy-free provinces increased from 18 to 20. |
| Increase in licit agriculture and related private capital investment in areas previously used for poppy cultivation | • In 2009, it was estimated that more than 245,200 households were engaged in illicit opium poppy cultivation in Afghanistan, down from 366,500 in 2008. |
| Decrease in addiction rates | • The results of the United Nations Office on Drugs and Crime 2005 national drug use survey indicated an estimated total of 920,000 drug users in Afghanistan, including 120,000 female and 19 000 injecting drug users. Those are conservative estimates. |
| Increase in effective interdiction and counter-trafficking efforts, including through ISAF support to ANSF | • In 2009, the counter-narcotics police of Afghanistan seized more than 36.5 tons of opium, 5 tons of heroin and morphine, 13.8 tons of hashish and 28,910 litres of precursor chemicals. While the number of interdictions in Afghanistan has dramatically increased, owing to an improved counter-narcotics police force and the activated presence of international partners, it remains low, at only 2 per cent of the total number of seizures carried out globally. |